



NATIONAL GUARD BUREAU
111 SOUTH GEORGE MASON DRIVE, AH2
ARLINGTON VA 22204-1373

February 25, 2013

Office of the Chief Counsel

Mr. Shawn Musgrave
Muckrock News
DEPT MR 1894
P.O. Box 55819
Boston, MA 02205-5819

Dear Mr. Musgrave:

This letter is in response to your Freedom of Information Act (FOIA) request dated September 14, 2012 for records on the reports produced by the Department of Defense after Hurricane Katrina, which outlined the lessons learned. Your request was received by the Air Force's U.S. Northern Command and responsive documents referred to the National Guard Bureau's FOIA Requestor Service Center on November 19, 2012 and assigned case #J-13-0023.

This office has finalized your request at no cost to you, as a member of the 'news media' fee category. After a thorough review of the records was conducted, I have determined that they are exempt from disclosure under the FOIA, 5 U.S.C. § 552 (b)(5), and (b)(6). We are withholding 265 pages in full.

Exemption (b)(5) protects inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency. Under this exemption, we are withholding pre-decisional records; the release of which would cause significant harm to the way the agency conducts future decision making, as well as causing confusion as to what the final agency position is and/or the reasons supporting the adoption of the final position.

Exemption (b)(6) protects personnel, medical, and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. Under this exemption, we are withholding names and other personal information of Department of Defense employees below the grade of General Officer and/or below the title of Commander or Director.

If you are not satisfied with this action, you may appeal to the appellate authority, the Director of Administration and Management, Office of the Secretary of Defense. To submit your appeal, you should write directly to:

Defense Freedom of Information Policy Office
Attn: Mr. James Hogan
1155 Defense Pentagon
Washington, D.C. 20301-1155

Your appeal should include a copy of this letter, be postmarked within 60 calendar days of the date of this letter, should cite case #J-13-0023, and should be clearly marked "FOIA Appeal."

If you have any questions regarding this request, please contact Ms. Jennifer Nikolaisen, NGB Chief FOIA Officer, at (571) 256-7838 or by e-mail, FOIA@ng.army.mil.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Rofrano". The signature is fluid and cursive, with the first name "Chris" and last name "Rofrano" clearly distinguishable.

Christian Rofrano
Colonel, US Army
Chief Counsel
National Guard Bureau

Enclosure